

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1568 be amended to read as follows:

- 1           Page 25, between lines 26 and 27, begin a new paragraph and insert:  
2           "SECTION 20. IC 20-25-3-3, AS ADDED BY P.L.1-2005,  
3           SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2007]: Sec. 3. (a) A member of the board must:  
5               (1) be a resident voter of the school city; and  
6               (2) have been a resident of the school city for at least one (1) year  
7               immediately preceding the member's election.  
8           (b) A board member may not:  
9               (1) serve in an elective or appointive office under the board or  
10              under the government of the civil city while serving on the board;  
11              or  
12              (2) knowingly have a pecuniary interest as described in  
13              IC 35-44-1-3(g) in a contract or purchase with the school city. ~~in~~  
14              ~~which the member is elected.~~  
15           If, at any time after a member is **appointed or** elected to the board, the  
16           board member knowingly acquires a pecuniary interest in a contract or  
17           purchase with the school city, the member is disqualified to continue  
18           as a member of the board, and a vacancy in the office is created.  
19           (c) Each member of the board shall, before assuming the duties of  
20           office, take an oath, before a person qualified to administer oaths, that:  
21               (1) the member possesses all the qualifications required by this  
22               chapter for membership on the board;  
23               (2) the member will honestly and faithfully discharge the duties  
24               of office;

(3) the member will not, while serving as a member of the board, become interested, directly or indirectly, in any contract with or claim against the school city, except as authorized by law; ~~and~~  
 (4) in the performance of official duties as a member of the board, including the selection of the board's officers, agents, and employees, the member will not be influenced by any consideration of politics or religion; and  
 (5) the member will be controlled in the selection of officers, agents, and employees only by considerations of merit, fitness, and qualification.

(d) Board members are entitled to receive compensation not to exceed the amount allowed under IC 20-26-4-6 and a per diem not to exceed the rate approved for members of the city-county council established under IC 36-3-4 for attendance at each regular and committee meeting as determined by the board.

SECTION 21. IC 20-25-3-4, AS AMENDED BY P.L.1-2006, SECTION 322, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The board consists of seven (7) members ~~A member:~~ **chosen as follows:**

**(1) The executive of the consolidated city shall appoint four (4) members.**

~~(1) must~~ **Three (3) members shall** be elected on a nonpartisan basis in primary elections held in the county as ~~specified~~ **provided** in this section. ~~and~~

~~(2) Each board member~~ serves a four (4) year term.

(b) ~~Five (5)~~ **Three (3)** members shall be elected from the school board districts in which the members reside. ~~and two (2) members must be elected at large. Not more than two (2) of the members who serve on the board may reside in the same school board district.~~

(c) ~~If a candidate runs for one (1) of the district positions on the board; Only eligible voters residing in the candidate's school board district may vote for that a candidate If a person is a candidate for one (1) of the at-large positions; eligible voters from all the districts may vote for that candidate. who resides in the district.~~

(d) If a candidate files to run for a position on the board, the candidate must specify ~~whether the candidate is running for a district or an at-large position:~~ **the candidate seeks to represent.**

(e) ~~A The candidate who runs for a district or an at-large position wins if the candidate receives the greatest number of votes of all the candidates for the position:~~ **district is elected.**

(f) Districts shall be established within the school city by the state board. The districts must be drawn on the basis of precinct lines, and as nearly as practicable, of equal population with the population of the largest district not to exceed the population of the smallest district by more than five percent (5%). District lines must not cross precinct lines. The state board shall establish:

1 (1) balloting procedures for the election under IC 3; and

2 (2) other procedures required to implement this section.

3 (g) A member of the board serves under section 3 of this chapter.

4 (h) In accordance with subsection (k), a vacancy in the board shall  
5 be filled temporarily by the board as soon as practicable after the  
6 vacancy occurs. The member chosen by the board to fill a vacancy  
7 holds office until the member's successor is elected and qualified. The  
8 successor shall be elected at the next regular school board election  
9 occurring after the date on which the vacancy occurs. The successor  
10 fills the vacancy for the remainder of the term.

11 (i) **An individual appointed to serve on the board begins the**  
12 **individual's term on July 1 of the year that the term of the**  
13 **individual's predecessor expires.** An individual elected to serve on  
14 the board begins the individual's term on July 1 of the year of the  
15 individual's election.

16 (j) Notwithstanding any law to the contrary, each voter must cast a  
17 vote for a school board candidate or school board candidates by voting  
18 system or paper ballot. However, the same method used to cast votes  
19 for all other offices for which candidates have qualified to be on the  
20 election ballot must be used for the board offices.

21 (k) If a vacancy in the board exists because of the death of a  
22 member, the remaining members of the board shall meet and select an  
23 individual to fill the vacancy in accordance with subsection (h) after  
24 the secretary of the board receives notice of the death under IC 5-8-6.".

25 Page 60, between lines 5 and 6, begin a new paragraph and insert:

26 "SECTION 54. [EFFECTIVE JULY 1, 2007] **(a) As used in this**  
27 **SECTION, "board" refers to the local board of school**  
28 **commissioners established by IC 20-25-3-1.**

29 **(b) Notwithstanding any other law, the successors of the board**  
30 **members whose terms expire June 30, 2008, shall be appointed by**  
31 **the executive of the consolidated city as provided in**  
32 **IC 20-25-3-4(a), as amended by this act.**

33 **(c) Notwithstanding any other law, the successors of the board**  
34 **members whose terms expire June 30, 2010, shall be elected at the**  
35 **May 2010 primary election from three (3) board member districts**

- 1     **as provided in IC 20-25-3-4(a), as amended by this act.**
- 2     **(d) This SECTION expires July 1, 2010."**
- 3     Renumber all SECTIONS consecutively.  
      (Reference is to HB 1568 as printed February 8, 2007.)

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Representative Behning